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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,501	10/24/2003	Michael Shappell	224558	9299
45373	7590	10/16/2006		
MARSHALL, GERSTEIN & BORUN LLP (MICROSOFT) 233 SOUTH WACKER DRIVE 6300 SEARS TOWER CHICAGO, IL 60606				
			EXAMINER LIN, SHEW FEN	
			ART UNIT 2166	PAPER NUMBER

DATE MAILED: 10/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/692,501	SHAPPELL ET AL.	
	Examiner	Art Unit	
	Shew-Fen Lin	2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) 11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- a. This action is taken to response to amendments and remarks filed on 7/27/2006.
- b. Claims 1-3 and 5-10 are pending and claim 4 has been cancelled. Claims 1, and 34-39 are independent claims.

Drawings

In view of the amendment to the drawings, the Examiner withdraws the pending objection to the drawings.

Response to Amendment and Remarks

Applicant's amendments and remarks have been fully and carefully considered. In response, a new ground of claim analysis based with respect to claims 1-3 and 5-10 has been considered, but they are not deemed to be persuasive.

Regarding Applicant's arguments on Claims 1-3 that Aboulhosn does not teach or suggest "wherein a graphical representation of the shared file modification is displayed on the computing device used by the at least one other user", because there is no indication or illustration on another user's display in either Figure that a file has been modified. The Examiner respectfully disagrees.

Aboulhosn discloses that Figures 2 and 3 illustrate the shared group folder at different computers (M1, M2), which represents a graphical representation of shared files. Furthermore, Aboulhosn discloses when a shared file is modified; the file owner sends updated metadata for that file to the other member of the group (column 2, lines 17-20). The metadata describes the

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file to be shared, for example, the file name, file owner, create date of the file, the last modified date of the file, the size of the file, and so on (column 2, lines 27-30). Since whenever a shared file is updated or modified, each member will receive the updated metadata to updates its folder. The shared file modification (for example, file name, date,..) will be displayed on the computing device used by at least one other user. Therefore, Aboulhosn teaches “wherein a graphical representation of the shared file modification is displayed on the computing device used by the at least one other user”.

The Examiner’s stance regarding the status of claim 1, and all those claims depending on it, remains the same as stated in the previous Office action.

Regarding Applicant’s arguments on Claim 5, the same rational applies to claim 5 as claim 1. Furthermore, Aboulhosn discloses that the file name extension of “vf” identifies a shared file as a virtual file (column 4, lines 32-33). Therefore, when an updated shared file is replicated to the second computing device (i.e. local to the second computing device), it will be displayed as a second file icon without “vf” extension.

Therefore, the Examiner’s stance regarding the status of claim 5, and all those claims depending on it, remains the same as stated in the previous Office action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3 and 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Aboulhosn et al. (US Patent 6,938,042, hereinafter referred as Aboulhosn).

As to claim 1, Aboulhosn discloses a method of enabling file sharing over a computer network among members of a group (column 1, lines 59-60) comprising a first user and at least one other user comprising:

displaying to the first user via a first user graphical display a shared space indicator (Figure 1, column 3, lines 66-67, column 4, lines 1-2) including a first file object associated with the shared space first group comprising the first user and at least one other user (Figures 2-3, Figure 5, item 513, column 4, lines 1-12);

receiving from the first user a request to perform a file system operation with respect to the file object (column 4, lines 9-12); and

sending a communication over the network to a computing device used by the at least one other user to indicate that the shared file has been modified by the first user after such file system operation has been performed (column 2, lines 18-20, lines 44-47) wherein a graphical representation of the shared file modification is displayed on the computing device used by the at least one other user (Figures 2-3, column 2, lines 17-30, column 4, lines 13-23, lines 49-59).

As to claim 2, Aboulhosn discloses wherein the network is a peer-to-peer network (column 2, lines 15-18).

As to claim 3, Aboulhosn discloses presenting a graphical representation of the file system operation to the first user in response to receiving the file system operation request (Figure 1, column 3, lines 66-67, column 4, lines 9-12).

As to claim 5, Aboulhosn discloses a method for updating a shared file in a computer network including a group of communicating computing devices in a peer-to-peer network (Figure 6B), the method comprising

performing, at a first computing devices, a file system operation on a shared file associated with a file icon displayed in a first shared space display area to generate an updated shared file (Figure 1, column 4, lines 1-12, column 2, line 67);

creating, at the first computing device, metadata associated with the updated shared file (column 2, lines 36-40);

propagating, by the first computing device, the metadata associated with the updated shared file to other group member (column 2, lines 18-20);

obtaining, by a second computing device, the metadata associated with the updated shared file (column 2, lines 24-27, lines 40-41);

determining, by the second computing device, whether the updated shared file should be replicated on the second computing device (column 2, lines 3-7);

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downloading, by the second computing device, the updated shared file when it is determined that the updated shared file should be replicated (column 2, lines 3-7); and displaying a second file icon in the shared space display area of the second computing device indicating that the shared file has been updated (Figures 2-4, column 2, lines 17-30, column 4, lines 13-23, column 4, lines 32-33).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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Claims 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aboulhosn as applied to claim 5 above, and further in view of Taylor et al. (US Patent 5,754,306, hereinafter referred as Taylor).

As to claims 6 and 7, Aboulhosn discloses the elements of claim 5 as noted above but does not explicitly disclose the step of displaying, by the second computing device, a third file icon in the shared space display area indicating that the shared file has not been updated when the updated shared file should not be replicated on the second computing device.

Taylor discloses the step of displaying a third file icon when the file has not been updated (Figure 20A, column 28, lines 3-6).

It would have been obvious to a person of ordinary skill in the art at the time of invention was made to modify Aboulhosn's disclosure to include different display for unsynchronized files as taught by Taylor for the purpose of identifying unsynchronized files (column 27, lines 23-26, Taylor). The skilled artisan would have been motivated to improve the invention of Aboulhosn per the above such that different icon is used to indicate the file is not updated (column 27, lines 23-29, Taylor).

As to claim 8, Aboulhosn discloses wherein the first shared space display area is a folder object (Figure 1, column 3, lines 66-67, column 5, lines 17-19).

Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Balfanz et al. (US Patent 2004/0103280, hereinafter referred as Balfanz).

As to **claim 9**, Balfanz discloses a method for adding a shared file to a shared space indicated by a display on a computing device in a computer network that includes a first online member of a group and at least one other online member of the group (Figure 1, paragraph [0007], lines 4-9), the method including the steps of:

displaying to the first user via a first user display a group folder object (Figures 3A/B, paragraph [0031], lines 1-3, paragraph [0032], lines 13-16) ;

activating a file system operation through selection of a first selectable visual indicator to move a file into the group folder object (paragraph [0033], lines 1-8);

creating metadata concerning the moved file (paragraph [0033], lines 8-13); and

transmitting the metadata to the at least one other online member of the group (paragraph [0059]) wherein the metadata indicates that the moved file has been modified by the first online member (laptop 12(2)) after such file system operation has been performed wherein a graphical representation of the shared file modification (new shared file added, paragraph [0059], lines 9-15) is displayed on the computing device used by the at least one other online member (laptop 12(1)) of the group (user interface of other group member is updated to reflect the new file added, paragraph [0059], lines 22-24).

Balfanz does not explicitly disclose the metadata indicates that the moved file has been modified by the first online member.

However, the metadata that identify the file name, the file owner, the create date of the file, the last modified date of the file, the size of the file, are widely used in the art of file system. Furthermore, Aboulhossn teaches that metadata describes the file to be shared, for example, the

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file name, file owner, create date of the file, the last modified date of the file, the size of the file, and so on (column 2, lines 27-30, Aboulhosn). Therefore, it would have been obvious for one of ordinary skills in the art at the time of invention was made to recognize that the metadata indicates the file has been modified by a certain person is well known and a common practice in the art, hence this limitation lacks patentable significance.

As to **claim 10**, Balfanz discloses wherein the network is a peer-to-peer network (paragraph [0022]).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shew-Fen Lin whose telephone number is 571-272-2672. The examiner can normally be reached on 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

Shew-Fen Lin
Patent Examiner 

Art Unit 2166
October 12, 2006


**MOHAMMAD ALI
PRIMARY EXAMINER**